IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

WRIT PETITION NO. 1897 OF 2005 (S/S)

Nandan Singh Gusain
S/o Late Sri Kedar Singh Gusain,
R/o 14 Bishnu Road,
P.S. Dalanwala, Dehradun,
Registrar Kanoongo (under suspension)
Dehradun ..... Petitioner.

Vs.

1. State of Uttaranchal through Secretary, Revenue Department, Government of Uttaranchal, Dehradun.
2. District Magistrate, Dehradun.
3. Commissioner, Garhwal Division, Pauri ..... Respondents.

December 20,2005

Sri Manoj Tiwari, learned counsel for the petitioner.
Sri Harendra Belwal, Standing Counsel for the State.

Hon'ble Rajesh Tandon, J.

1. By the present writ petition, the petitioner has prayed for a writ of mandamus directing the respondent no. 2 to pass final order on the basis of the enquiry report dated 25.10.2005 (Annexure 10 to the writ petition) in respect of disciplinary proceedings initiated against the petitioners.

2. According to the case of the petitioner, petitioner was appointed as a Lekhpal on regular basis in May 1970. Subsequently, he was promoted as Assistant Registrar, Kanoongo at Tehsil Dehradun in June 1987. Lastly, he was promoted as Registrar Kanoongo w.e.f. 24.03.1999. According to petitioner, on 27.02.2004, he was granted ad hoc promotion as Naib Tehsildar and he has joined his duties on 04.03.2004 as Naib Tehsildar (Ceiling) in District Dehradun. The petitioner submitted that he was reverted

to the post of Registrar Kanungo an was placed under suspension on 04.03.2005.

3. Now, at present, the disciplinary proceedings have come to an end by submitting the enquiry report against the petitioner, However, the short submission of the petitioner is that let the enquiry proceedings may be completed and final orders may be passed in connection with the disciplinary proceedings. It appears that on 17th November, 2005 the District Magistrate has referred the matter to the State Government and as such has sent the entire record to the State Government and, therefore, it is expedient that the Respondent no. 2 shall take speedy steps to get the final orders in pursuance of the recommendation made on 17.11.2005.

4. In view of the above, the disciplinary authority is directed to pass appropriate orders in accordance with law within a period of three months.

5. Subject to above, the writ petition is disposed of. No order as to costs.

(Rajesh Tandon, J.)

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